



**Legal Services Corporation**  
For 25 Years, America's  
Partner For Equal Justice

## **Notice of Availability of Funds**

### **Legal Services Corporation Technology Initiative Grants**

**2001**

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## NOTICE OF AVAILABILITY OF FUNDS

### **Summary:**

The Legal Services Corporation (LSC) issues this Notice describing the conditions under which applications will be received for *Technology Initiative Grants* and how LSC will determine which applications it will fund. This grant program at LSC will be administered to promote our goal of 100% access for our targeted client community to high-quality legal assistance.

### **Dates:**

Complete applications for the Fiscal Year 2001 LSC grant program must be mailed or hand-carried to the address indicated below and received by LSC no later than 5:00 P.M. EST, April 20, 2001. Please note the additional requirement of digital (electronic) submission set forth under *Digital (Electronic) Submissions Also Required*. A second publication, Guidelines for Preparing Applications (Guidelines), gives complete details for preparing and submitting applications.

### **Addresses:**

Applications must be mailed or hand-delivered to:

Legal Services Corporation  
Technology Initiative Grants  
750 First Street NE, 10<sup>th</sup> Floor  
Washington, DC 20002

### **Digital (electronic) submissions are also required:**

In addition to the physical delivery of the application, we require that the application be submitted in digital form (electronically) no later than the close of business on April 27, 2001. The Application page, Executive Summary, Table of Contents, Project Narrative, Budget Narrative, Proposed Payment Schedule, and Statement of Additional Funds must be submitted as Word, Rich Text Format, or plain text files. The Budget form should be in Excel. Forms may be found on the Recipient Information Network. Any other required forms must be submitted in the formats provided. We do not require Appendices to be submitted electronically. However, it is advisable to submit Appendices electronically if they are already in an acceptable or readily convertible format. If you desire to submit Appendices that are not digitally formatted (e.g. news articles) please scan them and submit them in .pdf format. Submissions should be sent to [techgrants@lsc.gov](mailto:techgrants@lsc.gov).

### **For further information, contact:**

Glenn Rawdon, Program Counsel for Technology, Telephone: 202.336.8868; Fax: 202.318.4508; E-mail: [gawdon@lsc.gov](mailto:gawdon@lsc.gov) or [techgrants@lsc.gov](mailto:techgrants@lsc.gov), or Tim Watson, Program Counsel, 202.336.8941; Fax: 202.336.7272; E-mail: [watson@lsc.gov](mailto:watson@lsc.gov).

**Supplementary information:****Program Purposes**

LSC announces the 2001 round of the Legal Services Corporation Technology Initiative Grants. These grants are intended to improve access to justice and to legal information for our targeted client community. They have been divided into five broad areas that are fully described in ***Grant Categories***. It is LSC's goal that 100% of our targeted client community have access to legal assistance. To accomplish this objective, LSC will provide grants to our existing program grantees to promote full access and high-quality legal representation through the use of technology.

**Applicable Law**

All grants made pursuant to this solicitation will be subject to the LSC Act of 1974, as amended, and applicable appropriations acts, all lawful requirements of the rules and regulations, policies, guidelines, instructions, and other directives of the Corporation. Any amendments or other applicable laws adopted during the period of this grant shall also apply. The LSC Act, as amended, can be found at 42 U.S.C. §2996; the implementing regulations can be found at 45 C.F.R. Part 1600, et. seq. Several regulations have been revised or promulgated since the last publication of the Code of Federal Regulations. See LSC regulations at [www.lsc.gov](http://www.lsc.gov). The LSC regulation on competitive bidding for grants and contracts can be found at 45 C.F.R. Part 1634.

Pub. L. 106-113, the FY 2001 LSC appropriations act, is found at [www.lsc.gov](http://www.lsc.gov). It incorporates the restrictions imposed on recipients of LSC funds by Pub. L. 105-119 and Pub. L. 104-134, the FY 1998 and 1996 LSC appropriations act (also included at [www.lsc.gov](http://www.lsc.gov)). *A review of the LSC appropriations acts should not be substituted for a full review of the applicable law, regulations and guidelines.*

**Funding Availability**

Approximately \$7 million is available for this program. Based on the response to last year's Technology Initiative Grants Notice, LSC expects this year's grant round to be very competitive.

**Eligible Organizations**

These grants are available to existing LSC program grantees only. Although other entities are not eligible to apply, they are encouraged to participate as project partners. Costs borne by other entities may be included in project budgets and will be credited as additional funds for extra points, as explained in ***Review Criteria***.

**Additional Funds Requirement**

It is not required that applicants have any commitments for additional (matching) funds for these grants. Though not required, it is encouraged. Applications that have commitments for additional funds will receive extra points in the review process as more fully explained in the section ***Review Criteria***.

LSC funds can be used by LSC recipients as matching funds for grants received through the Department of Commerce Technology Opportunities Program (TOP) subject to written approval

from TOP (or the Department of Commerce) for the use of LSC funds for TOP matching purposes.

### **Completeness of Application**

LSC will initially review all applications to determine whether all required elements are present and clearly identifiable. The required elements are listed and described in the Guidelines for Preparing Applications. Each of the required elements must be present and clearly identified. Failure to do so may result in rejection of the application.

### **Application Deadline**

As noted above, complete applications for the Technology Initiative Grants must be received by LSC no later than 5:00 P.M. EST, April 20, 2001. Submission shall be done electronically. Instructions for this procedure are located in the Guidelines for Preparing Applications. LSC anticipates that it will take approximately three months to complete the review of applications and make final funding decisions.

### **Grant Categories**

LSC supports projects that can serve as models for other LSC and non-LSC legal services providers. LSC believes that every funded project should demonstrate the use of technology to achieve our Strategic Goals, which are to dramatically increase the provision of legal services to eligible persons and to ensure that eligible clients are receiving appropriate and high-quality legal assistance.

The LSC Technology Initiative Grants program emphasizes the application of technology to meet the needs of clients and others seeking pro se and legal information; not simply technology as an end in itself. Therefore, each project should identify specific problems or needs in a community, offer uses of technology to provide concrete solutions and produce measurable outcomes, and be built in such a way that the project can be exported to other jurisdictions at minimal cost. For this last reason, LSC expects any funded project to be executed in a manner that is fully compatible with data and legal information standards that may emerge from the legal services community. Projects are expected to apply technology creatively and, in so doing, bring about meaningful changes in how legal services are provided and in the relationships between an organization and its partners and clients.

Although the grant categories for last year's round were different from those listed below, it will be instructive for applicants to read descriptions of the projects that were selected. A descriptive list of all of the projects undertaken by last year's successful applicants is available on the Recipient Information Network.

In FY 2001, LSC will support projects in five application areas as set out below:

#### **1. Innovation Projects**

While much has been achieved by using technology in the delivery of legal services to the poor, LSC believes more can be done, especially in the area of pro se representation. These further advances will come through innovation. We want to encourage continued innovations by providing up to \$175,000 for any single award. Subject areas for these grants are limited only by

the imagination. We will favor grants to create a technology structure in the state that does not exist there now and that will **enhance client access to pro se and legal information**, in areas such as, but not limited to:

- ?? Centralized intake and referral
- ?? Pro se client information
- ?? Pro se technology support for clinics
- ?? Pro se pleadings
- ?? Technology support for pro bono attorney participation in pro se

For pro se to be effective, it needs to be embraced by the local court system. To this end, special consideration will be given to partnerships with state and local court systems. Also, LSC encourages the inclusion of other partners such as bar associations, community organizations, libraries, senior organizations, and advocacy organizations in these endeavors. Applicants should have the support of state planners.

Although innovation in its strictest sense is encouraged and will be viewed with great favor, we use the word broadly to include more than new technology; it can also include the application of existing technology to the delivery system in a new way, or using technology as an essential ingredient for a systemic innovation in the delivery system.

## 2. Integration Projects

The effective delivery of legal services to our targeted client population can be enhanced by integrating all phases of that delivery. We want to encourage additional integration by providing awards in this category of up to \$100,000 for any single award. The grants in this category will be made to significantly advance the integration of legal delivery systems through technology. Example areas are ones that:

- ?? Advance the implementation of a coordinated technology plan
- ?? Advance the implementation of a seamless intake system
- ?? Develop a pro bono network that expands the use of the private bar in pro se delivery and access
- ?? Develop a model for the integration of electronic filing into legal services and pro se practice
- ?? Use technology to enhance the delivery system through tracking and analysis of program performance indicators

As in the other categories, partnerships are important. Special consideration will be given to proposals that have included partnerships with state and local court systems, state bar associations, and are embraced by the state planners.

Proposals should provide for an evaluation component that will assess the success of the project in achieving its goals and objectives. Persons who will be doing the evaluation must be clearly identified. As part of the negotiations with prospective grantees, LSC reserves the right to approve or disapprove of the proposed evaluator(s) and designate a panel of persons approved to do these evaluations. This will provide continuity in the evaluations nationwide. This evaluation process should be ongoing during the life of the project.

### 3. Statewide Web Sites

In last year's round of TI Grants, LSC funded projects to develop web templates that could serve as patterns for statewide web sites. These will soon be available, and we want to encourage other states to implement one of these templates. We will accept applications in this area for up to \$50,000. We anticipate that the actual implementation of the statewide web site from one of these templates will cost no more than \$10,000, leaving up to \$40,000 for providing content for the web site. Applications for such implementation must clearly demonstrate that the web site will serve the entire state, with all LSC programs participating. Applications must include a detailed plan describing how the web site will be maintained and updated during the implementation and after the term of the LSC grant. This plan must be for a complete web site, including portions for clients, advocates, pro bono attorneys, and providers of other legal and social services in the state.

### 4. Statewide Technology

This category is an expanded integration category, designed for projects of statewide scope. We want to encourage statewide integration by providing awards in this category of up to \$500,000 for any single award. The grants in this category will be made to significantly advance the integration of legal delivery systems through technology. Example areas are ones that:

- ?? Advance the implementation of a coordinated technology plan
- ?? Advance the implementation of a state-wide, seamless intake system
- ?? Develop a pro bono network that expands the use of the private bar in pro se delivery and access
- ?? Develop a model for the integration of electronic filing into legal services and pro se practice
- ?? Develop a manual that can be used by states as a "how to" guide for statewide technology planning

As in the other categories, partnerships are important. Special consideration will be given to proposals that have included partnerships with state and local court systems, state bar associations, and are embraced by the state planners.

Successful proposals will establish or improve one or more statewide activities or systems, such as intake, pro bono networking, or community education and pro se development. The category applies only to statewide activities; not intra-state regional activities, except for very large states, such as California. Central coordination will be an element of any successful proposal.

("Central" is a term of *design*; not geography.) Proposals that solidify or create statewide partnerships in the legal services delivery system will be highly favored. This category presents particularly good opportunities to work with other national groups such as the State Justice Institute, the Open Society Institute, the Technology Opportunities Program, and other funders. We will also be interested in proposals for analysis of statewide technology issues and the production of a Guide for statewide technology development.

### 5. National Technology

Last year we funded one project that was national in scope. We want to encourage broad collaborations, so we have created a category for nationwide or multi-state projects that can

receive up to \$250,000 for any single grant. We hope to use this category to create resources for clients and legal services providers that do not exist at this time and to encourage the use of technology in collaborative efforts that transcend state boundaries

One project we would particularly encourage would be to create information and support resources for our programs to help them with technology efforts. There is a wealth of expertise on technology in the legal services community, but all do not share it. As we strive to improve access to legal information and quality legal services for our client community by using technology, providing additional technology support to legal services programs to implement these projects is crucial to their success. With this year's round of grants, as with last year's, we hope to increase the impact of the grant money for the benefit of clients by replicating these projects across the country. National technology information and support resources would be invaluable in this effort, allowing our programs to do more with our scarce technology dollars. It is our hope that one or more groups of the technology haves will band together to create distributed national information and support resources for the technology have-nots.

Examples of activities that this category will fund include: (A) Studies that provide rigorous, thoroughly documented analysis and recommendations for the application of technology, on a national level, to the delivery of legal services. (B) A national ADA technology compliance project. (C) Creation of technology information and support resources for the programs, including web sites and consultants to be available on different topics, such as WANs, SQL, Voice Over IP (VoIP.) Successful proposals will offer uniform national accessibility to expertise on known field technology issues or any particular set of related issues.

## ***Evaluation***

All proposals should provide for an evaluation component that will assess the success of the project in achieving its goals and objectives. Persons who will be doing the evaluation must be clearly identified. To insure continuity in the evaluations nationwide, LSC reserves the right to approve or disapprove of the proposed evaluator(s) and to designate an evaluation coordinator to design and facilitate these evaluations. This evaluation process should be ongoing during the life of the project,

## ***Review Criteria***

Reviewers will review and rate each application using the following criteria. The relative weights of each criterion are identified in parentheses.

### **1. Project Purpose (20%)**

Each application will be judged on the overall purpose of the proposed project, its potential impact on our targeted client community and on the delivery system as a whole. In assessing the ***Project Purpose***, reviewers will examine the degree to which the applicant clearly: defines the problem (or deficiency) within the current delivery system; proposes creative and practical means of addressing the problem or deficiency employing technology; and identifies anticipated outcomes and potential impacts that are both realistic and measurable. Reviewers will also assess



the degree to which an applicant convincingly links the three major elements - problem(s), solution(s), and outcomes. Reviewers will assess the degree to which the project targets unmet needs of our targeted client community and the degree to which the proposed project will supply these unmet needs.

## **2. Innovation (10%) (20% for Applications in the Innovation category)**

With the exception of applications in the Innovation category, applications are not *required* to propose innovative activities. However, all applications that propose innovative activities are entitled to additional weight over those that do not.

As noted in the section on *Grant Categories*, reviewers will assess innovation broadly, examining the technology to be used and the application of technology in a particular setting, to serve a particular population, or to solve a particular problem, as well as its overall structural effect on the delivery system. Reviewers will also assess the degree to which the project would bring about new and practical changes in how the applicant provides legal services and enhances relationships between its partners and clients. The technology employed in a proposed activity does not in itself have to be innovative in order to qualify for this category of funding. Rather, the innovation criterion can be fulfilled if the technology for which funding is sought is an indispensable ingredient in an innovative activity.

When rating the degree to which an application demonstrates innovation, reviewers will use their experience as experts in their respective fields to determine whether a proposed project introduces a unique or new approach and extends the state of the art in a given application area. Reviewers will examine each project in a national context and ask: (1) how an application compares with, complements, or improves upon other activities in a given application area, and (2) what insight(s) a proposed project could add to what is known about using technology in a given application area.

## **3. Project Feasibility (20%) (10% for applications in the Innovation category)**

In assessing the feasibility of each application, reviewers will focus on four issues: (1) the technical approach, (2) the qualifications of the project staff plus any outside contractors or developers, (3) the proposed budget and the implementation schedule, and (4) the applicant's plan for sustaining the project beyond the grant period.

In assessing technical approach, reviewers will examine how the proposed system would be built and how it would work, how it would operate with other systems, technological alternatives that have been considered, designs for system maintenance, periodic upgrades, and the system's adaptability to unforeseen developments. Applicants are expected to make use of existing infrastructure and commercially available telecommunications services, unless extraordinary circumstances require the construction of new network facilities.

In assessing the qualifications of the project team, reviewers will assess the applicant and its partners to determine if they have the resources, expertise, and experience necessary to undertake, evaluate, and complete the project and disseminate results within the proposed period.

Reviewers will analyze the budget in terms of clarity and cost-effectiveness. The proposed budget should be appropriate to the tasks proposed, sufficiently detailed so that reviewers can easily understand the relationship of items in the budget to the project narrative, and sufficiently

flexible that it can be modified to reflect changes in technology and opportunity. Reviewers also will assess the degree to which the implementation process as a whole is comprehensive and reasonable.

Finally, reviewers will examine the potential long-term viability of the applicant's plans. Reviewers will consider the economic circumstances of the community or communities to be served by the proposed project and the applicant's strategies to sustain the project after the completion of the grant.

#### **4. Replication Potential (15%)**

The innovations and approaches to be demonstrated in any proposed project should contain the potential to be replicated broadly throughout the country. LSC expects that each awarded project will serve as a model for other communities to follow.

To assess this potential for replication, reviewers will consider five factors:

- a. degree to which the problem identified by the applicant is commonly found in the legal services recipients' environment;
- b. relative advantage of the project's innovations over established approaches to addressing the specified problems;
- c. ease of replication and adaptation, based on considerations such as cost and complexity; including the applicant's plans to build the innovation in such a way that it can be directly used in other jurisdictions, or can be modified at low cost for use in other jurisdictions;
- d. extent to which standard tools and software have been used; and
- e. applicant's plans to disseminate actively the knowledge gained from the project's successes and failures.

Any product or software program developed with these grants should provide that the ownership of the product or software will vest in LSC or can be licensed for modification and/or use by other LSC programs for little or no charge (including access to development tools). It is not LSC's intent to help private companies develop products with LSC money, only to have those companies then market these products to other LSC programs at or near the cost for the original development. This would not help diffusion.

#### **5. Community Involvement (15%)**

Each application will be rated on the overall level of community involvement in the development and implementation of the proposed project. It is very important to LSC that the delivery of legal services and information to our targeted client community be a coordinated effort. Each state has a state planning committee in place to help them devise a statewide, integrated delivery system providing full access to legal services. Reviewers will examine the proposed projects to determine the breadth of the involvement of state planners to ensure it furthers the goal of the state plan.

Also, applicants are encouraged to include the development of partnerships among unaffiliated organizations, from the public, non-profit, or private sectors, as an integral part of each project. LSC considers partners to be organizations that supply cash or in-kind resources and/or play an active role in the planning and implementation of the project. Reviewers will:

- a. examine the steps the applicant has taken to engage and sustain the involvement of state planners and other community stakeholders. Reviewers will look for evidence of demand, from the community, the end users, and the potential beneficiaries, for the services proposed by the project;
- b. consider the degree of attention paid to the needs, skills, working conditions, and living environments of the targeted end users. Reviewers will also consider the extent to which applicants involve representatives from a broad range of potential users in both the design and implementation of the project and consider the varying degrees of abilities of all end users, including individuals with disabilities;
- c. assess the applicant's plans for training end users, upgrading their skills, and building community awareness and knowledge of the project;
- d. evaluate the steps applicants have taken to involve and document the support of a variety of stakeholder groups and organizations; particularly important will be the endorsement and/or participation of the state court systems, state bar associations, non-LSC legal services providers, public and non-profit social service agencies, and other state planners;
- e. assess the value of funds, services, and/or goods to be supplied by the partners. The greater the percentage of the value of these additional funds comes to fifty (50%) of the total project budget, the clearer it will be that the partners are committed to the endeavor and the more points applicants will be given for this section; and
- f. examine the applicant's efforts to safeguard the privacy of the project's end users and beneficiaries. In circumstances where proprietary or sensitive individual data are involved, reviewers will closely examine the applicant's strategies for addressing the privacy and confidentiality of user information.

## **6. Reducing Disparities (15%)**

Reviewers will assess the degree to which each application addresses barriers which limit a community's or a group's access to the legal assistance, legal information, and the courts. These barriers may be technological, geographic, economic, physical, linguistic, or cultural. For example,

- a. a rural community may be geographically isolated from information resources and lack local technical expertise to help install and manage the network infrastructure;
- b. an inner city neighborhood may contain large numbers of potential end users who lack the technical expertise and financial resources to access the information infrastructure; or
- c. people with disabilities may need a variety of special hardware or software interfaces to facilitate their use of the information infrastructure.

Reviewers will assess evidence of community need in terms of access to legal services resources (including but not limited to intake for personal advice and representation, pro se informational materials, pro se pleadings, and opportunities for pro bono representation) and the applicant's proposed strategies for overcoming barriers to this access to legal services resources. Reviewers will focus on the applicant's strategies for reaching out and providing access to our targeted client community and for tailoring services that address the learning mechanisms, attitudes, abilities, and customs of this community.

## 7. Evaluation and Documentation (5%)

Each application will be rated on its potential to evaluate and document the effectiveness and efficiency of the proposed solution(s) and anticipated outcome(s) of the project.

Reviewers will assess the degree to which the evaluation links to the overall formulation of project goals and objectives (i.e., the problem, solution, and anticipated outcomes identified in the *Project Purpose* section) and the *Review Criteria* treated below.

Applicants will be rated on the extent to which their plans include effective record keeping strategies that will assist in assessment of the project and facilitate future evaluations of the applicant's efforts.

When examining an applicant's proposed evaluation efforts, reviewers will assess the evaluation design, the implementation plan for the evaluation, and the allocation of resources (i.e., budget, staff, and management) for evaluation. Reviewers will also analyze the evaluation questions; the methodological approach for answering the evaluation questions; how data will be collected; and how the data will be analyzed. Finally, reviewers will assess the qualifications of any proposed evaluators.

Credit will be given for evaluation plans that themselves promise to provide models for evaluation of technology innovation within the legal services community.

### ***Eligible Costs***

If included in the approved project budget, LSC will allow costs for personnel; fringe benefits; computer hardware, software, and other end-user equipment; telecommunication services and related equipment; consultants, evaluators, and other contractual services; travel; rental of office equipment, furniture, and space; and supplies. Administrative costs must be captured through these line items only; no general 'administrative cost' line item will be approved. All costs must be reasonable and directly related to the project.

We advise applicants to be mindful of the prior approval provisions of Regulation 1630.5 when considering the purchase of any individual item, or of a group of related items, over \$10,000 in value. In order to expedite purchases after the grant award, you may wish to include a request for prior approval in your grant application.

### ***Ineligible Costs***

Costs associated with the construction or major renovation of buildings are not eligible. While costs for the construction of new network facilities are eligible costs, applicants are expected to make use of existing infrastructure and commercially available telecommunications services. Only under extraordinary circumstances will the construction of new network facilities be approved.

### ***Award Period***

Successful applicants may propose project terms up to 36 months. Budgets submitted should be for the entire term of the project.

***Incomplete Applications***

All applications submitted on time will be reviewed to be sure they are complete as defined in the Guidelines. Incomplete applications will not be considered in the selection process. LSC may contact applicants to notify them of deficiencies or omissions in applications and allow additional material to be submitted, but is not required to do so. The only way to ensure you are in the selection process is to timely submit a complete application.

***Selection Process***

LSC will publish a notice in the Technology Section of the LSC Recipient Information Network (RIN) web site listing all properly completed applications received by LSC. Listing an application in such a notice merely acknowledges receipt of an application that will compete for funding with other applications. Publication does not preclude subsequent return or disapproval of the application, nor does it ensure that the application will be funded. The selection process will last approximately three months and involves four stages:

1. During the first stage, each eligible application will be reviewed by LSC staff and/or a panel of outside readers who have demonstrated expertise in both the programmatic and technological aspects of the application. The staff and/or review panels will evaluate applications according to the review criteria provided in this Notice and make non-binding written recommendations to the LSC Director of Program Performance. These recommendations may include the suggestion that grants only be approved after substantial modification, improvement, or narrowing of the proposal.
2. Upon completion of the initial review process, LSC staff may analyze applications as necessary. Staff analysis will be based on the degree to which a proposed project meets the program's funding scope as described in the section entitled ***Limitations on Project Scope***; the eligibility of costs included in an application's budget; and the extent to which an application complements or duplicates projects previously funded or under consideration by LSC or other federal programs. These analyses may include the suggestion that grants only be approved after substantial modification, improvement, or narrowing of the proposal. The analysis of program staff will be provided to the LSC Director of Program Performance in writing.

The LSC Director of Program Performance will then prepare and present a slate of recommended grant awards to the Vice President for Programs for review and approval. The Director's recommendations and review and approval will take into account the following selection factors:

- a. evaluations of the outside reviewers;
- b. analysis of program staff;
- c. degree to which the proposed grants meet the program's priorities as described in the section entitled "Grant Categories;"
- d. geographic distribution of the proposed grant awards;
- e. variety of technologies and strategies employed by the proposed grant awards;
- f. extent to which the proposed grant awards represent a reasonable distribution of funds across application areas;

- g. promotion of access to and use of the information infrastructure by rural communities and other underserved groups;
- h. avoidance of redundancy and conflicts with the initiatives of other federal agencies; and
- i. availability of funds.

These recommendations may include the suggestion that grants only be approved after substantial modification, improvement, or narrowing of the proposal.

3. The Vice President for Programs will then prepare a final list of recommendations that will be presented to the President of LSC. The LSC President selects the applications to be negotiated for possible grant award taking into consideration the Vice President's of Programs recommendations and the degree to which the slate of applications, taken as a whole, satisfies the selection factors described above and the program's stated purposes as set forth in the section entitled ***Program Purposes***.

4. After applications have been selected in this manner, negotiations will take place between LSC staff and the applicant. These negotiations are intended to resolve any differences that exist between the applicant's original request and what LSC proposes to fund, and if necessary, to clarify items in the application. Not all applicants who are contacted for negotiation will necessarily receive a LSC award. Final selections made by the President will be based to some extent upon the recommendations by the Director and the Vice President of programs and the degree to which the slate of applications, taken as a whole, satisfies the program's stated purposes as set forth in the section entitled ***Program Purposes***, upon the conclusion of negotiations.

### ***Use of Program Income***

Applicants are advised that any program income generated by a proposed project is subject to special conditions. Anticipated program income must be documented appropriately in the project budget and, should an application be funded, said program income must be reported to LSC. In addition, should an application be funded, unanticipated program income must be reported to LSC, and the budget for the project must be renegotiated to reflect receipt of this program income. Program income means gross income earned by the recipient that is either directly generated by a supported activity, or earned as a result of the award. If you anticipate program income to continue after the term of the project, please indicate this and describe how this income will be spent.

### ***Waiver Authority***

It is the general intent of LSC not to waive any of the provisions set forth in this Notice. However, under extraordinary circumstances and when it is in the best interest of our targeted client community, LSC, upon its own initiative or when requested, may waive the provisions in this Notice. Waivers may only be granted for requirements that are discretionary and not mandated by statute or regulation. Any request for a waiver must set forth the extraordinary circumstances for the request and be included in the application or sent to the address provided in the ***Addresses*** section above. LSC will not consider a request to waive the application deadline for an application unless the waiver request is received by LSC prior to the application deadline.

**Other Information**

Electronic Information. Information about LSC, including this document and the Guidelines for Preparing Applications, can be retrieved electronically via the Internet using the World Wide Web. Use <http://www.rin.lsc.gov/rinboard/rinboard.htm> to reach the LSC Recipient Information Bulletin Board, and at the Technology Section, select *LSC Technology Initiative Grants*.

Application Forms. These forms are included in the Guidelines for Preparing Applications, which can be obtained by contacting LSC by telephone, fax, or electronic mail, as described in the *Addresses* section above. LSC requires one original and five copies of the application.

Because of the high level of public interest in projects supported by LSC, we anticipate receiving requests for copies of successful applications. Applicants are hereby notified that the applications they submit are subject to the Freedom of Information Act. To assist LSC in making disclosure determinations, applicants may identify sensitive information and label it "confidential."

Type of Funding Instrument. The funding instrument for awards under this program shall be a grant.

Federal Policies and Procedures. Recipients and subrecipients are subject to all applicable federal laws and federal and LSC policies, regulations, and procedures applicable to federal financial assistance awards.

Pre-Award Activities. If an applicant incurs any project costs prior to the project start date negotiated at the time the award is made, it does so solely at its own risk of not being reimbursed by LSC. Applicants are hereby notified that, notwithstanding any oral or written assurance that they may have received, there is no obligation on the part of the LSC to cover pre-award costs.

No Obligation for Future Funding. If an application is selected for funding, LSC has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the LSC.

Past Performance. Unsatisfactory performance of an applicant under prior federal financial assistance awards may result in that applicant's proposal not being considered for funding.

False Statements. A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. §1001.

Michael Genz  
Director of the Office of Program Performance